

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

Angela Winkelmann PLAINTIFF,)	
)	CIVIL ACTION NO.:
VS.)	
)	
)	JURY TRIAL DEMANDED
)	
Leading Edge Recovery Solutions, LLC)	UNLAWFUL DEBT COLLECTION
)	PRACTICES
DEFENDANT)	
)	
		<u>COMPLAINT</u>

I. INTRODUCTION

1. Plaintiff Angela Winkelmann states that Defendant engaged in abusive, deceptive, and unfair acts in violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq. (hereinafter "FDCPA"). Specifically, Defendant, through the actions of its employees, left a series of messages on Plaintiff's residential phone without her consent or authorization in an effort to collect on a debt. The messages did not give the required disclosure regarding Defendant's status as a debt collector nor did they provide meaningful disclosure of the Defendant's identity.

II. JURISDICTION AND VENUE

2. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d), and 28 U.S.C. § 1337. Venue in this District is proper in that the Defendant transacted business here and the conduct complained of occurred here.

III. PARTIES

3. Plaintiff is a natural person residing in the County of Franklin, State of Missouri.

4. Defendant Leading Edge Recovery Solutions, LLC (hereinafter referred to as "LERS") is a Limited Liability Company organized pursuant to the laws of the State of Illinois, doing business in the State of Missouri. Defendant's business location is CT Corporation System, 120 South Central Ave., Clayton, MO 63105.

5. Defendant is engaged in the collection of debts from consumers using the mail, facsimile transmission and telephone. Defendant regularly attempts to collect consumer debts it purchases after default and/or consumer debts alleged to be due to another. Defendant is a "debt collector" as defined by the FDCPA, 15 U.S.C. § 1692a(6).

6. The acts of Defendant alleged hereinafter were performed by its employees acting within the scope of their employment with Defendant, and with its actual or apparent authority.

IV. FACTUAL ALLEGATIONS

7. Defendant left a series of phone messages on Plaintiff's residential phone line during February, 2010 in an effort to collect on a debt which was allegedly originally owed to another entity not a party to this litigation. The alleged obligation is a consumer debt as defined in 15 U.S.C. § 1692a(5).

VIOLATIONS OF THE FDCPA

8. Plaintiff incorporates herein by reference each and every prior allegation and fact as though fully restated and re-alleged.

9. Defendant's actions violated the FDCPA. The violations include, but are not limited to, the following:

(a) Defendant violated 15 U.S.C. § 1692e(11) when it left messages on Plaintiff's residential phone line which failed to indicate that the communication was from a debt collector;

(b) Defendant violated 15 U.S.C. § 1692d(6) when it left messages on Plaintiff's residential phone line which failed to provide meaningful disclosure of Defendant's identity;

(c) Defendant's actions were unfair and unconscionable means to collect the debt in violation of 15 U.S.C. § 1692f.

10. As a result of the above violations of the FDCPA, the Defendant is liable to the Plaintiff for statutory damages, and costs and attorney's fees.

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

- A. Statutory damages pursuant to 15 U.S.C. § 1692k;
- B. Costs and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k;
- C. For such other and further relief as may be just and proper.

PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY

/s/ Angela Winkelmann
Angela Winkelmann

Respectfully submitted,

/s/ Steven R. White

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